

# **Ex. A**

**Info**

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**From:** May C <[info@abilitycb.com](mailto:info@abilitycb.com)>  
**Sent:** Tuesday, January 8, 2013 3:49 PM  
**To:** R [REDACTED]s.com  
**Subject:** service rate sheet, Power of Attorney & Terms of Conditions  
**Attachments:** POWER OF ATTORNEY.docx; Terms and Conditions.pdf; rate sheet.docx

Dear R [REDACTED]

Thank you for contacting Ability Customs Brokers for a service inquiry. The service rate sheet and Terms and Conditions are attached, please review it and let us know if you have any questions. Otherwise, please complete the attached Power of Attorney and return it back to me with an IRS document to verify your company's EIN number. For an individual importer, social security card and driver license copy is required to verify the social security number.

Best Regards,

May

Ability Customs Brokers  
13910 Doolittle Dr  
San Leandro, Ca 94577  
T:510-347-5555  
F:510-347-1555  
[WWW.abilitycb.com](http://WWW.abilitycb.com)

It's not possible for Defendant to have sent an email on January 8, 2013 with the footer below. CBP did not announce the policy until June 7, 2013.

\*\*Based on the current challenges at all the West Coast Ports due to terminal constraints, kindly note Ability Customs Brokers will not be held liable for any demurrage, standby time, per diem/detention and/or dry runs.\*\*

**\*\*Important !!! \*\***

U.S. Customs & Border Protection will commence full ISF enforcement on July 9, 2013 and will issue liquidated damages against the importer for non-compliance. The Importer Security Filing must be electronically filed with CBP no later than 24 hours prior to the departure of the vessel and it is the importer's responsibility to ensure that it is done. Liquidated damages assessed will be \$5,000 per violation so please contact broker to make sure that you supply the information in advance or make arrangements to have it filed.